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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,552	06/26/2003	Steven M. Russel	D/A3141	5323

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ROCHESTER, NY 14644

EXAMINER

NGUYEN, ANTHONY H

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/606,552

Applicant(s)

RUSSEL ET AL.

Examiner

Anthony H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/26/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Information Disclosure Statement

The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Claim Objections

Claims 1-8 are objected to because the element "airflow slot" (lines 7 and 8) is inferentially recited. Additionally, there is no proper antecedent basis for "said airflow slots" (claim 1, lines 10-11, claim 6 line 3 and claims 7 and 8, line 1).

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 1-7 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Malachowski (US 5,166,735) in view of Nakajima (US 5,520,382).

With respect to claim 1, Malachowski teaches a sheet transport system 12 having a belt 14 and a vacuum manifold 18 which provides a vacuum force on the sheets to be transported. Malachowski does not teach the plurality of sheet feeding rollers. Nakajima teaches a sheet transport system having a plurality of sheet feeding fan rotor 40 which functions as feeding roller for transporting print media sheets in a printer feeding path as shown in Figs.1 and 7 of Nakajima. Therefore, in view of the teaching of Nakajima, it would have been obvious to one of ordinary skill in the art to modify the sheet transport system of Malachowski by providing the sheet transporting system having the feeding roller as taught by Nakajima to improve the efficiency of transporting a sheet along the sheet feeding path in place of the system 12 of Malachowski. With respect to claims 2 and 3, the use of a feeding roller, which is located inside a housing in the sheet transporting system of Malachowski and Nakajima, is inherently provided substantially uniform cooling or heating of the print sheets. With respect to claim 4, the use of a thermal image fuser in a sheet transport system is notoriously well known as exemplified by the fuser 28, 30 (Malachowski, Fig.1). With respect to claims 5-7, Nakajima teaches the sheet guide or sheet baffle 34 between the rollers 40 and including airflow slots positioned on both sides of the feeding roller 40 (Nakajima, Figs.3 and 7).

Claim 8 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Malachowski in view of Nakajima as applied to claim 1-7 above, and further in view of Perez et al. (US 6,565,081).

Malachowski and Nakajima teaches all that is claimed, except the airflow slots on one side of the feeding rollers which are wider than the airflow slots on the other side of the feeding rollers. Perez et al. teaches the conventional use of a feeding roller 345 (Fig.4 of Perez et al.) and the airflow slot 370 which is wider than the airflow slot 360 located on the other side of the

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feeding. In view of the teaching of Perez et al., it would have been obvious to one of ordinary skill in the art to modify the airflow slots of Malachowski and Nakajima by providing the airflow slots as taught by Perez et al. for eliminating a paper jam in the sheet feeding path.

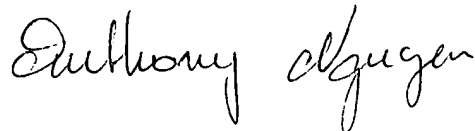
Conclusion

The patents to Stark, Ateya, Sardella, Le Jaoudour, and Juan are cited to show other structures having obvious similarities to the claimed structure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169. The examiner can normally be reached daily from 9 AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (571) 272-2168. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink that reads "Anthony Nguyen". The signature is written in a cursive, flowing style.

Anthony Nguyen
9/3/04
Patent Examiner
Technology Center 2800